

REMARKS

This responds to the Restriction and Election of Species Requirement dated March 23, 2009.

Response to Restriction Requirement

In response to the Restriction Requirement, Applicants elect for examination **Group II - claims 8-14 and 20-22**, drawn to a phosphoric acid derivative represented by the formula Ia. This election is made without traverse.

Response to Species Election Requirement

This responds to the Election of Species Requirement dated March 23, 2009. The Examiner has identified the application as containing claims directed to more than one distinct species. The Examiner has required the Applicants to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. The Examiner believes claims 1-22 are generic. Applicants have been advised that a response to this requirement shall include an identification of the species that is elected and a listing of all claims readable thereon.

In response to the Examiner's requirement, Applicants elect for examination a **phosphoric acid derivative represented by the formula 11** on which claims 13 and 14 are readable.

Applicants submit that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

Applicants reserve the right to file a Divisional Application directed to non-elected claims 1-7 and 15-19.

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS AND
PRELIMINARY AMENDMENT

Attorney Docket No.: Q109418

U.S. Application No.: 10/587,279

Preliminary Amendment

Also, Applicants herein correct the dependency of claim 14 from claim 11 to claim 13.

Lastly, a typographic error is corrected in claims 8.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: April 23, 2009